

REMARKS

I. Status of the Claims

Claims 1-10 and 12-46 are pending in this application. Claims 3-7, 9, 10, 12-22, 26, 27, and 29-46 were withdrawn previously from consideration as directed to a nonelected invention. Claims 1, 8, 23, and 24 are amended herein. Claim 11 is canceled herein, without prejudice or disclaimer.

Without prejudice or disclaimer, Applicants amend claims 1, 8, 23, and 24 to exclude phenylalanine and to specify that the depressive disorder or depression is chosen from major depression, dysthymia, atypical depression, and minor depression. Support for the amendments can be found in the specification as filed and original claims, e.g., ¶¶ [0019], [0022], [0053], and original claim 11. Applicants further amend claim 1 for clarity reasons.

Accordingly, no new matter has been added and entry of the claim amendments is respectfully requested.

II. Claim Rejection under 35 U.S.C. § 112

The Office rejects claims 1, 2, 8, 11, 23-25, and 28 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Specifically, the Office asserts that “Applicant claims a method comprising identifying a subject with a depressive disorder and then administering a carbonic anhydrase activator, however it is not clear what disorder the instant application intends to treat.” Office Action at page 3.

Applicants respectfully disagree. To expedite prosecution, however, Applicants amended independent claim 1, to expressly recite “[a] method for treating a depressive disorder in a subject in need thereof . . .” and to recite “the depressive disorder is

chosen from major depression, dysthymia, atypical depression, and minor depression.” This amendment indicates the depressive disorder that Applicants intend to treat, and Applicants assert that it is definite.

Applicants also amend independent claim 23 to recite the depression intended to treat and assert its definiteness. Specification at ¶ [0053]. Since claims 2, 8, 11, 24, 25, and 28 depend from independent claim 1 or 23, these claims are definite in the same manner as the independent claims from which they depend. Thus, Applicants respectfully request that the Office withdraw the rejection.

Applicants canceled claim 11, rendering the rejection against it moot.

III. Claim Rejection under 35 U.S.C. § 102

Claims 1, 2, 8, 11, 23-25, and 28 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Birkmayer (Journal of Neural Transmission, 1984) as evidenced by Casini (Bioorganic and Medicinal Chemistry Letters, 2003). Office Action at page 3. Specifically, the Office asserts that “Birkmayer teaches the administration of L-deprenyl with that of L-phenylalanine as an effective method in the treatment of depression,” and that “[a]s evidenced by Casini, phenylalanine is a carbonic anhydrase activator.” *Id.* Applicants respectfully disagree and traverse the rejection for the following reasons.

Applicants canceled claim 11, rendering the rejection against it moot.

Applicants respectfully point out, as the Office acknowledges, Birkmayer teaches the *combination* of L-deprenyl with L-phenylalanine, *not* phenylalanine alone to treat depression. To expedite prosecution, however, Applicants amend claims 1, 8, 23, and 24 to exclude phenylalanine, thus rendering the rejection moot. The rejections against claims 2 and 25 are

moot at least because they depend on claim 1. Applicants therefore respectfully request the rejection withdrawn.

IV. Conclusion

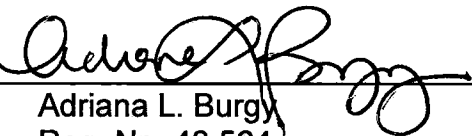
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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